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MAR 05 2007

In re Application of
DABAK et al
Application No.: 10/601,866
Filing Date: June 23, 2003
Attorney Docket No.: TI-28441A

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: **OFFICE OF PETITIONS**
: **DECISION ON PETITION**
: **UNDER 37 CFR 1.137(b)**
:

This is a decision on the petition under 37 CFR 1.137(b), filed August 22, 2006, to revive the above-identified application.

The petition is **DISMISSED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed December 12, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, by operation of law, the above-identified application became abandoned on March 13, 2006 (March 12, 2006 being a Sunday).

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before June 8, 1995.

The instant petition does not satisfy requirement (3) above. Specifically, petitioner states that the entire delay from June 13, 2006 to August 22, 2006 was unintentional. However, as set forth above, the delay is from March 14, 2006 to the filing of a grantable petition.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.137(b)."

Further correspondence with respect to this matter should be addressed to:

Mail Stop Petitions
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Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3301.



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